IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24596 of 2004

Between:

1 B.Venkata Ramana, s/o late Babu Rao,
Vatsavai (PO), & (Mandal), Krishna District.
2 M.Leela, w/o Prabhakar Rao,
S.T.Colony, Kondapalli (V), Ibrahimpatnam (M), Krishna District.

.....PETITIONERS

AND

1 The Vice-Chairman, V.G.T.M.Urban Development Authority,
Vijayawada, Krishna District.
2 The District Employment Officer, The District Employment Exchange,
Vijayawada, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ, declaring the action of the respondents in not allowing the petitioners to appear for written test/interview for selection and appointment to the post of Attender as illegal, arbitrary and contrary to the judgment of the Hon'ble Supreme Court of India reported in 1996(6) Scale 676 in Excise Superintendent, Malakapatnam, krishna District Vs.K.B.N.Visweswara Rao and consequently to direct the respondents to consider the case of petitioners for selection and appointment to the post of Attender without insisting that the petitioners names should be sponsored by the Employment Exchange.

For the Petitioners: MR.B.P.RAJU, Advocate

For the Respondent No.1: Mr. P.M. Gopal Rao, SC for VGTM UDA

For the Respondent No.2: GP FOR EMPLOYMENT & TRAINING

The Court at the stage of admission made the following:

ORDER:

Heard the learned counsel for the petitioners, learned Standing Counsel for first respondent and the learned Government Pleader for Employment and Training.

The petitioners claim that the first respondent is undertaking selections and appointments to the posts of Attender for filling up backlog vacancies reserved for Scheduled Tribe, and written test/interviews for the posts are scheduled to be conducted on 03-01-2005 or any future date. It is their case that as they are eligible for the post, they applied for it on
03-07-2004, but no call letters have been issued to them on the ground that their names have not been sponsored by the Employment Exchange. Therefore, they seek a direction to the respondents to consider their candidatures.

Inasmuch as petitioners are seeking a direction to the respondents to consider their candidatures for employment in an instrumentality of the State, their remedy, if any, is to approach the A.P. Administrative Tribunal, constituted for the purpose, and agitate their grievance, and certainly writ petition is not a remedy.

With the above observation, the writ petition is dismissed. No costs.

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N.V. RAMANA, J

Date: 29-12-2004

Svv

To

1 The Vice-Chairman, V.G.T.M.Urban Development Authority,
Vijayawada, Krishna District.
2 The District Employment Officer, The District Employment Exchange,
Vijayawada, Krishna District.

3 Two C.Cs to the Government Pleader for Employment & Training, High Court Buildings, A.P.,Hyderabad.

4 Two C.D.copies.